

## TRANSMITTAL FORM FOR FILING PATENT APPLICATION

Attorney Docket No: MIOPT-005XX

WEINGARTEN, SCHURGIN, GAGNEBIN & HAYES LLP  
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Boston, Massachusetts 02109  
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Express Mail No: EL418423093US

Date: June 7, 2000

First Named Inventor or Application  
Identifier: Mark B. Spitzer

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith under 37 CFR § 1.53 for filing is the patent application of:

Inventor: **Mark B. Spitzer**

Entitled: COMPACT, HEAD-MOUNTABLE DISPLAY DEVICE WITH SUSPENDED EYEPIECE ASSEMBLY

This is a request for filing a ☐ **continuation** ☐ **divisional** ☐ **continuation in-part** application under §1.53(b) of prior Application No. \_\_\_\_\_, filed \_\_\_\_\_ entitled:

Enclosed are:

- ☒ 21 pages of written description, claims and Abstract, inclusive
- ☒ 12 sheets of ☒ informal ☐ formal drawings of **Figs. 1-12** (one set)
- ☒ Oath or Declaration
- ☒ Newly executed (original or copy)
- ☐ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional).  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ To be filed later
- ☒ Cover sheet and Assignment of the invention to: THE MICROOPTICAL CORPORATION
- ☐ Certified copy of a \_\_\_\_\_ application (if foreign priority is claimed) with letter claiming priority under Rule 55.
- ☒ Information Disclosure Statement with 106 citations
- ☐ Preliminary amendment is enclosed.
- ☒ Return receipt postcard

☒ Other: Copy of Verified Statement of Small Entity Status from U.S. Provisional Applications Serial Nos. 60/140,340 & 60/140,707; Check for \$40.00 for recordation of assignment; 6 sheets of **formal** drawings, Figs. 1-12 with Letter to Chief Draftsman.

**TRANSMITTAL FORM FOR FILING PATENT APPLICATION (CONTINUED)**

Attorney Docket No.: MIOPT-005XX

- ☐ Verified statement of Small Entity status (§1.9 and §1.27)
- ☒ Verified statement of Small Entity was filed in prior application. Status still proper and desired
- ☐ Priority is claimed under 35 USC § 120 as indicated on the attached sheet 4.
- ☐ Priority is claimed under 35 USC §119(a)-(d) as indicated on the attached sheet 4.
- ☒ Priority is claimed under 35 USC §119 (e) as indicated on the attached sheet 4.
- ☐ \_\_\_\_\_ is hereby appointed Associate Attorney by:  
Registration No.:

\_\_\_\_\_  
Attorney of Record  
Registration No.:

**Power of Attorney** in the originally-filed application has been granted to one or more of the registered attorneys listed below. The attorneys listed below not previously granted power in the originally-filed application, as well as \_\_\_\_\_, are hereby given associate power:

Registration No.:

|  |                                     |
|--|-------------------------------------|
| Stanley M. Schurgin, Reg. No. 20,979     | Eugene A. Feher, Reg. No. 33,171    |
| Charles L. Gagnebin III, Reg. No. 25,467 | Beverly E. Hjorth, Reg. No. 32,033  |
| Paul J. Hayes, Reg. No. 28,307           | Holliday C. Heine, Reg. No. 34,346  |
| Victor B. Lebovici, Reg. No. 30,864      | Gordon R. Moriarty, Reg. No. 38,973 |

- ☒ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee.
- ☐ Add in this application claims \_\_\_\_\_ per amendment before calculating fee.

| CLAIMS FILED:  | MINUS BASE: | EXTRA CLAIMS: | RATE:        | BASIC FEE: |
|--|-------------|---------------|--------------|------------|
|  |             |               |              | \$ 690.00  |
| Independent  | 1 - 3       | = 0           | x \$78.00 =  | 0.00       |
| Total  | 38 - 20     | = 18          | x \$18.00 =  | 324.00     |
| <input type="checkbox"/> Multiple Dependent Claims (1st presentation)                                    |             |               | + \$260.00 = | 0.00       |
| SUBTOTAL FILING FEE  |             |               |              | \$1,014.00 |
| Small Entity filing, divide by 2.<br>(Note: verified statement must be attached per §1.9, §1.27, §1.28.) |             |               |              | \$ 507.00  |
| TOTAL Filing Fee   |             |               |              | \$ 507.00  |

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**TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)**

- ☒ The filing fee has been calculated above; a check in the amount of \$507.00 is enclosed.
- ☐ The filing fee will be submitted at a later date.
- ☒ In the event a Petition for Extension of Time under 37 CFR §1.17 is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under 37 CFR §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

☒ **Customer Number 207**

Address all future communications to:

WEINGARTEN, SCHURGIN, GAGNEBIN & HAYES LLP  
Ten Post Office Square  
Boston, Massachusetts 02109  
Telephone: (617) 542-2290  
Telecopier: (617) 451-0313

  
\_\_\_\_\_  
Attorney of Record: Beverly E. Hjorth  
Registration No. 32,033

Attorney Docket No.: MIOPT-005XX

**TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)**

☐ Priority is claimed under 35 USC § 120 of prior Application(s)  
No. \_\_\_\_\_, filed \_\_\_\_\_, entitled:

☐ The above-identified application(s) is/are assigned of record to:

☐ Priority is claimed under 35 USC § 119 (a)-(d) of the following application(s).

| _____<br>(Application Number) | _____<br>(Country) | _____<br>(Filing Date) |
|-------------------------------|--------------------|------------------------|
|-------------------------------|--------------------|------------------------|

|                               |                    |                        |
|-------------------------------|--------------------|------------------------|
| _____<br>(Application Number) | _____<br>(Country) | _____<br>(Filing Date) |
|-------------------------------|--------------------|------------------------|

|                               |                    |                        |
|-------------------------------|--------------------|------------------------|
| _____<br>(Application Number) | _____<br>(Country) | _____<br>(Filing Date) |
|-------------------------------|--------------------|------------------------|

☐ The above-identified application(s) is/are assigned of record to:

☒ Priority is claimed under 35 USC § 119 (e) of the following provisional applications.

|                      |                      |
|----------------------|----------------------|
| <u>60/140,340</u>    | <u>June 21, 1999</u> |
| (Application Number) | (Filing Date)        |

|                      |                      |
|----------------------|----------------------|
| <u>60/140,707</u>    | <u>June 24, 1999</u> |
| (Application Number) | (Filing Date)        |

|                               |                        |
|-------------------------------|------------------------|
| _____<br>(Application Number) | _____<br>(Filing Date) |
|-------------------------------|------------------------|

☒ The above-identified provisional applications are assigned of record to: THE MICROOPTICAL CORPORATION

☒ The claim of small entity status in the above-identified provisional applications is made in this application and a copy of the small entity forms from the provisional applications are enclosed.

BEH/jde/225860  
Enclosures

SUBMIT IN TRIPLICATE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Mark P. Spitzer  
Application No. :  
Filed : HEREWITH  
For : COMPACT, HEAD-MOUNTABLE DISPLAY DEVICE  
WITH SUSPENDED EYEPIECE ASSEMBLY  
Examiner :  
Attorney's Docket : MIOPT-005XX

Group Art Unit:

\* \* \* \* \*  
I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an  
envelope addressed to: Assistant Commissioner for Patents,  
Washington, D.C. 20231 on \_\_\_\_\_

By: \_\_\_\_\_  
Beverly E. Hjorth  
Registration No. 32,033  
Attorney for Applicant

\* \* \* \* \*  
LETTER TO OFFICIAL DRAFTPERSON  
RE: SUBMISSION OF FORMAL DRAWINGS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith in the above-identified application are  
formal drawings.

Kindly substitute these drawings for the ones currently on  
file as appropriate and charge any costs associated therewith to

Application No.:  
Filed: Herewith  
Group Art Unit:

Patent and Trademark Office Account No. 23-0804. Triplicate  
copies of this transmittal letter are enclosed.

Respectfully submitted,

MARK B. SPITZER

By: Beverly E. Hjorth  
Beverly E. Hjorth  
Registration No. 32,033  
Attorney for Applicant

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Date: June 7, 2000

BEH/jde/227354  
Enclosures

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